

AMENDED IN ASSEMBLY JUNE 26, 2002

AMENDED IN SENATE APRIL 18, 2002

SENATE BILL

No. 1518

Introduced by Senator Torlakson

February 20, 2002

An act to amend Section 6512 of the Health and Safety Code, and to amend Section 10633 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1518, as amended, Torlakson. Recycled water.

(1) Existing law requires a sanitary district that includes any part of a city, water district, or other local agency that provides water service to any territory in the district to obtain the consent of that city, water district, or other local agency prior to supplying water service to that territory.

This bill would provide that this requirement does not apply to the provision of recycled water by a sanitary district. *The bill, except as otherwise provided, would prohibit a sanitary district from supplying water service using recycled water to the territory of any part of a city, water district, or other local public entity providing water service, or from commencing construction of facilities for that service, prior to offering to consult with that entity and providing notification of availability for consultation.*

(2) Existing law requires every urban water supplier to prepare and periodically update an urban water management plan for submission to the Department of Water Resources. Existing law requires the supplier to describe in the plan the projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years.

This bill would require the supplier to include in the plan a description of the actual use of recycled water in comparison to previously projected uses, and a description of the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) California is experiencing substantial water shortage
4 statewide.

5 (b) The state's population is growing by approximately
6 750,000 people a year, and is expected to approach 50 million by
7 2020.

8 (c) This boom in population will nearly double the demand for
9 water supply in urban areas by 2020, compounding the shortage
10 problem.

11 (d) The state needs to take action that will help alleviate these
12 problems by expanding options for securing water supply.

13 (e) The state has a tremendous capacity to use reclaimed water
14 for a range of uses.

15 (f) The Legislature has established goals for water recycling in
16 the state, namely to reclaim and reuse one million acre-feet
17 annually by 2010.

18 (g) It is the policy of the State of California to do what it can
19 to encourage and facilitate the expanded use of recycled water.

20 SEC. 2. Section 6512 of the Health and Safety Code is
21 amended to read:

22 6512. (a) A district may acquire, plan, construct, reconstruct,
23 alter, enlarge, lay, renew, replace, maintain, and operate garbage
24 dumpsites and garbage collection and disposal systems, sewers,
25 drains, septic tanks, and sewerage collection, outfall, treatment
26 works and other sanitary disposal systems, and storm water drains
27 and storm water collection, outfall and disposal systems, and water
28 recycling and distribution systems, as the board deems necessary
29 and proper, and in the performance of these functions, either in or
30 out of the district, it may join through joint powers agreements



pursuant to the provisions of Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, or through other means with any county or municipality or any other district or governmental agency.

(b) Before any garbage dump is established, the location shall first be approved by the county health officer, and, in addition, if the location is within two miles of any city, the consent of the governing body of the city shall first be secured.

(c) (1) If the district includes any part of a city, water district, or other local agency that provides water service to any territory in the district, the district shall not supply water service to the territory unless the district first obtains the consent of the city, water district, or other local agency. The consent shall not be revoked, if the revocation will result in a decrease of the revenues available to pay the outstanding bonds of the district.

(2) ~~This subdivision~~ Paragraph (1) does not apply to the provision of recycled water by a district.

(3) (A) *Subject to subparagraph (B), a district may not supply water service using recycled water to the territory of any part of a city, water district, or other local public entity providing water service, or commence construction of facilities for that service, prior to offering to consult with that city, water district, or other local public entity, and providing notification of availability for consultation. The obligation to consult terminates if that local public entity providing water service fails to make itself available for consultation within 60 days of written notification to that local public entity.*

(B) *The consultation and notification requirements described in subparagraph (A) do not apply to a district if the district, prior to supplying water or commencing construction as described in subparagraph (A), provides notification to the local public entity pursuant to Section 65604 of the Government Code or submits a written request to the local public entity pursuant to subdivision (b) of Section 13580 of the Water Code.*

(d) The Department of Water Resources may assist sanitary districts in applying for, and in obtaining approval of, federal and state funding and permits for cost-effective water recycling projects and shall confer and cooperate with the legislative body of the district during the application and approval process.

SEC. 3. Section 10633 of the Water Code is amended to read:

1 10633. The plan shall provide, to the extent available,
2 information on recycled water and its potential for use as a water
3 source in the service area of the urban water supplier. The
4 preparation of the plan shall be coordinated with local water,
5 wastewater, groundwater, and planning agencies that operate
6 within the supplier's service area, and shall include all of the
7 following:

8 (a) A description of the wastewater collection and treatment
9 systems in the supplier's service area, including a quantification
10 of the amount of wastewater collected and treated and the methods
11 of wastewater disposal.

12 (b) A description of the quantity of treated wastewater that
13 meets recycled water standards, is being discharged, and is
14 otherwise available for use in a recycled water project.

15 (c) A description of the recycled water currently being used in
16 the supplier's service area, including, but not limited to, the type,
17 place, and quantity of use.

18 (d) A description and quantification of the potential uses of
19 recycled water, including, but not limited to, agricultural
20 irrigation, landscape irrigation, wildlife habitat enhancement,
21 wetlands, industrial reuse, groundwater recharge, and other
22 appropriate uses, and a determination with regard to the technical
23 and economic feasibility of serving those uses.

24 (e) The projected use of recycled water within the supplier's
25 service area at the end of 5, 10, 15, and 20 years, and a description
26 of the actual use of recycled water in comparison to uses
27 previously projected pursuant to this subdivision.

28 (f) A description of actions, including financial incentives,
29 which may be taken to encourage the use of recycled water, and the
30 projected results of these actions in terms of acre-feet of recycled
31 water used per year.

32 (g) A plan for optimizing the use of recycled water in the
33 supplier's service area, including actions to facilitate the
34 installation of dual distribution systems, to promote recirculating
35 uses, to facilitate the increased use of treated wastewater that meets
36 recycled water standards, and to overcome any obstacles to
37 achieving that increased use.

38 *SEC. 4. It is the intent of the Legislature to encourage the use*
39 *of recycled water for nonpotable uses as a cost-effective, reliable*
40 *method of helping to meet California's water supply needs. This*

1 *act does not alter any rights, remedies, or obligations that may*
2 *exist pursuant to Article 1.5 (commencing with Section 1210) of*
3 *Chapter 1 of Part 2 of Division 2 of the Water Code or Chapter 8.5*
4 *(commencing with Section 1501) of Part 1 of Division 1 of the*
5 *Public Utilities Code.*

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